

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD A. KIRKHAM,)	CASE NO. C05-1282-JLR-MAT
)	
Plaintiff,)	
)	
v.)	ORDER OF DISMISSAL
)	
JIM FERREL, Deputy Prosecuting Attorney,)	
)	
Defendant.)	
_____)	

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Plaintiff's motion to amend his complaint (Dkt. No. 8) is DENIED.
- (3) Plaintiff's complaint and this action are DISMISSED without prejudice.

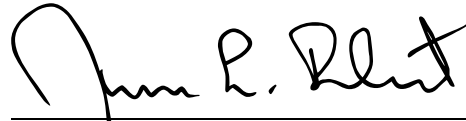
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01 (4) The Clerk is directed to send copies of this Order to plaintiff and to the Honorable
02 Mary Alice Theiler.

03 DATED this 28th day of November, 2005.

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06 JAMES L. ROBART
07 United States District Judge
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